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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,252	05/31/2000	Robert P. Martin	10002239-1	3762

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EXAMINER

NOBAHAR ABDULHAKIM

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/584,252

Applicant(s)

MARTIN ET AL.

Examiner

Abdulhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 2, 3 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

3. Regarding claims 2 and 16, these claims state that configuration engine reading computer requirements from at least one client connected to at least one of said plurality of client connection ports, which is not described in the specification. Appropriate correction is necessary.

4. Regarding claim 2, this claim recites that configuration engine calculating an optimum allocation of said plurality of computers to meet said computer requirements of said at least one client, which is not described in the specification. Appropriate correction is necessary.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, and 10-20 are rejected under 35 U.S.C. 102(b) as being anticipated by McNeil et al. (6,167,052; hereinafter McNeil).

3. Regarding claims 1, 5, 13 and 20, McNeil discloses methods and systems for establishing secure network connectivity (see abstract) that provides a plurality of computers (stations) connected to switches (see, for example, Fig. 1, where in Domain 116P, Stations 124.1 and 124.2 are connected to Switches 124.1 and 124.2). McNeil also discloses that stations (corresponding to the recited clients) from another domain (see, for example, Fig. 1, Domain 116Q, Station 124.3 or clients from Domain 170 via Internet) are connected through designated ports to switch 128.1 in Domain 116P (see, for example, col. 3, lines 7-16). McNeil further discloses the deployment of a management station (see, for example, Fig. 1, Domain 116P, Station 124M) corresponding to the recited configuration engine connected to the switch 128.1, in order to configure this switch (see, for example, Fig. 1 and col. 2, lines 35-50). Switches

are used to create virtual local area networks (VLANs) in order to restrict connectivity between stations (corresponding to the recited isolating plurality of client connection ports from one another) (see, for example, col. 1, lines 54-67).

4. Regarding claims 2 and 16, it is assumed that "configuration engine reading computer requirements from at least one client connected to at least one of said plurality of client connection ports" means to configure secure environments in portions of the secure computer system according to client needs (page 3 of the specification, lines 32-33). McNeil discloses that connection for client to access resources on the network is restricted and provided based on some criteria (see, for example, col. 1, line 54-col. 2, lines 5; col. 10, lines 15-24).

5. Regarding claim 3, it is assumed that "configuration engine calculating an optimum allocation of said plurality of computers to meet said computer requirements of said at least one client" means that the automating code 74 in the configuration engine 42 may include load balancing systems or brokering systems which receive requests for computer resources 12 from clients and which automatically allocate resources 12 according to client need and priority, and resource availability (page 10 of the specification, lines 6-11). McNeil discloses that connection for client to access resources on the network is restricted and provided based on some criteria (see, for example, col. 1, line 54-col. 2, lines 5; col. 10, lines 15-24).

6. Regarding claims 10 and 18, McNeil discloses that routers are connected to the client ports on a switch (see, for example, Fig. 1, where Router 130.1 is connected to the Switch 128.1 ports of VLAN 140a). McNeil further discloses that the management station 124M is used to configure the router 130.1 for directing the client connections (see, for example, col. 4, lines 9-46 and col. 5, lines 8-20).

7. Regarding claims 11 and 19, McNeil discloses that management station creates access control lists (ACLs) and allow connections based on the ACLs, which corresponds to the recited authenticating client identification before configuring at least one VLAN (see, for example, col. 2, lines 26-34; col. 3, line 65-col. 4, line 6; col. 6, lines 14-24).

8. Regarding claims 12 and 17, McNeil discloses that firewalls are also used to further control the access of users to the resources on a shared system (see, for example, col. 2, lines 1-5; col. 9, lines 32-49).

9. Regarding claims 14 and 15, McNeil discloses that the management station includes software and provides a graphical user interface for network administrator to configure the VLAN (see, for example, abstract; Fig. 1; col. 4, lines 38-41; col. 9, lines 35-43).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-9 and are rejected under 35 U.S.C. 103(a) as being unpatentable over McNeil et al. (6,167,052; hereinafter McNeil) in view of Specht (6,414,958 B1).

12. Regarding claim 4, McNeil does not expressly disclose to connect at least two client connection ports to the same one of computers that provides services to clients.

Specht discloses a multi-port switch that provides secure VLAN connections among network devices and a network management module, which is also connected to the switching section (see, for example, abstract and col. 4, lines 17-25). Specht further discloses a configuration of switch that provides a VLAN that includes at least two of the client connection ports to be securely connected to the same resources. See, for example, Fig. 8A and Fig. 8B. In Fig. 8B, for example, two connection ports that are belonged to the users A and B are connected to the same corporate WAN resource via VLAN 895a.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the configuration option taught in Specht in the network connectivity method of McNeil, because it would satisfies different requirements

(or provides different VLAN clients connection arrangement) (col. 4, lines 39-50 and col. 11, lines 29-32).

13. Regarding claim 5, Specht discloses:

Connecting at least one client computer to said shared computer system through at least one of said plurality of client connection ports. See, for example, Fig. 4.

14. Regarding claim 6, Specht discloses:

at least one client computer is connected to said shared computer system across a dedicated line. See, for example, Fig. 8B, where only user B has access to the Internet via VLAN 895b that corresponds to a dedicated line.

15. Regarding claims 7 and 8, McNeil discloses that the implemented switches allow users to access resources over the Internet. See, for example, Fig. 1 that users are allowed to access, for example, Station 124.1 over the Internet 170 and through Switch 128.1.

16. Regarding claim 9, Specht discloses that the multi-port switch for secure VLAN connections is usable for a broad range of network connections (see, for example, col. 6, line 59-col. 7, line 4).



***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,920,699 to Bare.

US Patent No. 5,968,176 to Nessett et al.

US Patent No. 6,028,862 to Russell et al.

US Patent No. 6,269,404 B1 to Hart et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar

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Examiner  
Art Unit 2132

AN  
March 8, 2004

*Gilberto Barron*

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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100